

Snell & Wilmer

L.L.P.

LAW OFFICES

One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000
Fax: (602) 382-6070
www.swlaw.com

RECEIVED
CENTRAL FAX CENTER

JUL 28 2005

PHOENIX, ARIZONA

TUCSON, ARIZONA JUL 28 2005

IRVINE, CALIFORNIA

SALT LAKE CITY, UTAH

DENVER, COLORADO

LAS VEGAS, NEVADA

FACSIMILE TRANSMISSION

DATE: July 28, 2005

TIME IN:
TIME OUT:

TO:	Name	Fax Number	Phone Number
MAIL STOP RCE		571-273-8300	
U.S. Patent and Trademark Office			

FROM: Howard Sobelman PHONE: 602-382-6228

RE: U.S. Serial No. 09/704,379

MESSAGE:

Request for Continued Examination (RCE) Transmittal (1 pg.)

Thank you.
Howard Sobelman

Please confirm receipt of this facsimile.

ORIGINAL DOCUMENT: Will not be sent

NUMBER OF PAGES (Including Cover): 2

CONFIRMATION NO.:

CLIENT MATTER NO.: 10655.7600

PLEASE RETURN TO: Debbie Mier
1bs04

PERSONAL FAX: No

REQUESTOR: Howard
Sobelman

DIRECT LINE: 602-382-6228

IF YOU HAVE NOT PROPERLY RECEIVED THIS TELECOPY, PLEASE CALL US AT (602) 382-6075.
OUR FACSIMILE NUMBER IS (602) 382-6070.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

PAGE 1/2 * RCVD AT 7/28/2005 2:17:34 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-6/24 * DNIS:2738300 * CSID:602 382 6070 * DURATION (mm-ss):00-50

RECEIVED
OICE/IAP

JUL 29 2005

BEST AVAILABLE COPY

PTO/SB/90 (04-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it carries a valid OMB control number.

Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09704379
	Filing Date	11/02/2000
	First Named Inventor	Fred Bishop
	Art Unit	3824
	Examiner Name	Patel, Jagdish
	Attorney Dock# Number	10655.7600

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply in any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments entered with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s) Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(d) required)
- b. ☐ Other _____
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 19-2814. I have enclosed a duplicate copy of this check.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.13a and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2035 enclosed)
- WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2035.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	Date	July 28, 2005
Name (Print/Type)	Registration No.	39,036

CERTIFICATE OF MAILING ON TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	Date	July 28, 2005
Name (Print/Type)		Deborah A. Mier

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1 800-PTO-9194 and select option 2.

BEST AVAILABLE COPY

BEST AVAILABLE COPY